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EXAMINER

PARVINI, PEGAH

ART UNIT

PAPER NUMBER

1793

NOTIFICATION DATE

DELIVERY MODE

03/19/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The rejection of claims 1-4, 7, 15-19, under Title 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,500,537 to Araki et al. in view of JP01255798 (1989-343901) to Kobayashi et al. as generally set forth in the previous Office Action is proper and stand.

Response to Amendment

2. Applicants' amendment to claim 1 by inserting the statement of "forming a wear resistance and seizure resistant layer on", filed February 28, 2008, page 2, is acknowledged. However, the amendment is not sufficient to place the application in condition for allowance for the reason indicated below.

It is, further, noted that the support for said statement was not found in page 2, lines 1-2 of the specification; nevertheless, it was found in pages 18-19.

3. For the purpose of the examination, said amendment has not been entered.

Response to Arguments

4. Applicant's arguments filed February 28, 2008 have been fully considered but they are not persuasive.

5. Applicants have argued that the cited references fail to disclose "coating composition for forming a wear resistant and seizure resistant layer on sliding parts".

The Examiner, respectfully, submits that this argument is drawn to the claim as amended, and the amendment is not entered.

6. Applicants have argued that Araki and Kobayashi fail to disclose the incorporation of titanium oxide powder in an amount of 5% to 35% by mass.

The Examiner, respectfully, submits that as detailed in the Final Action, pages 2-3, Kobayashi et al. disclose the use of titania in a composition used for sliding parts; the motivation to use titania was also disclosed as to reduce friction coefficient and wear resistance as detailed in the previous Office Action.

Furthermore, Araki et al. disclose the use of titanium oxide as a reinforcing agent or for many other reasons in an amount not lowering characteristics of the film (column 22, lines 17-23).

7. Applicants have argued that Kobayashi et al. discloses the use of titania fiber not titanium oxide powder.

The Examiner, respectfully, submits that the so called fiber disclosed by Kobayashi et al. has a size of less than 1 microns which is what is claimed in the instant application; therefore, the mere point that Kobayashi et al. call it a "fiber" and not a powder cannot be held sufficient that Kobayashi et al. does not teach the use of said component in the sliding parts. Specially, it is noted that Kobayashi et al. is drawn to

the same field of endeavor, and the motivation to combine it with Araki et al. was expressly disclosed in the last page of Kobayashi et al. document.

8. Applicants have argued that Araki et al. does not expressly disclose the amounts of PTFE, silane coupling agent, and titanium oxide powder and that the Office Action contends that it would be obvious to adjust individual compositions to an appropriate amount in order to obtain desired results.

The Examiner, respectfully, submits that regarding PTFE, the Final Action stated that the amount can be adjusted as the specific amount depended on many factors such as intended coating thickness, concentration and viscosity of a coating composition, a coating method, etc. as expressly detailed in the previous Office Action (column 13, lines 53-56; column 14, lines 18-22). Therefore, detailed motivation was disclosed by the reference to make it obvious that the amount may be modified according the factors indicated above. However, the reference, further discloses that the amount may be within the range of 5% by weight to about 70% by weight.

Furthermore, regarding the amount of silane coupling agent, the pervious Office Action using Araki et al., expressly indicated that the amount of silane coupling agent may be 1 to 50 parts by weight of the fluorine-containing compound in which PTFE was disclosed as an example of such compound. Disclosure in column 14, lines 18-2 of Araki et al. permits the use of an amount of a wide range to be used based on the many factors that the amount of PTFE depends on.

Finally, the reference disclose overlapping ranges with what are instantly claimed, and overlapping ranges have been held to establish prima facie obviousness. MPEP § 2144.05.

9. Applicants have argued that Araki et al. merely discloses the application of the fluorine-containing polymer to a substrate fabricated from polyimide or polyamide-imide.

The Examiner, disagrees and respectfully submits that said substrate has all the components of the composition claimed in the instant application. Nevertheless, Araki et al., in multiple places, refer to a film or coating made up of fluorine-containing compound (PTFE) and other components (column 17, lines 10-14; column 22).

10. Applicants have argued that Kobayashi et al. provide no teaching, suggestion, or motivation for utilizing said titania fibers in a “coating composition for forming a wear resistant and seizure resistant layer on sliding parts” as recited in currently amended claim 1.

The Examiner, respectfully, submits that this argument is drawn to the claim as amended, and the amendment is not entered.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PEGAH PARVINI whose telephone number is (571)272-2639. The examiner can normally be reached on Monday to Friday 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on 571-272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/P. P./
Examiner, Art Unit 1793

/Jerry A Lorengo/
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